

# **AGENDA**

## **SPECIAL CITY COUNCIL MEETING**

**FEBRUARY 23, 2021  
6:00 P.M.**

**FATE CITY HALL  
1900 CD BOREN PARKWAY**

**NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF FATE WILL HOLD A SPECIAL CITY COUNCIL MEETING AT 6:00 P.M. ON TUESDAY, FEBRUARY 23, 2021 AT FATE CITY HALL, 1900 CD BOREN PARKWAY, FATE, TEXAS, FOR THE FOLLOWING PURPOSES:**

- 1. CALL TO ORDER AND CONFIRM A QUORUM**
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE AMERICAN AND TEXAS FLAGS**
- 3. PRESENTATIONS**

A. Introduction Of Rockwall County Commissioner, Precinct 4 - Janet Nichol

#### **4. PUBLIC COMMENT**

This Is An Opportunity For The Public To Address The Council On Any Matter, Except Public Hearings That Are Included On The Agenda. Comments Related To Public Hearings Will Be Heard When The Specific Hearing Begins. Public Comments Are Limited To Three (3) Minutes Per Speaker, Unless Otherwise Required By Law. To Address The Governing Body, Each Speaker Must Complete A Public Comment Form And Present The Completed Form To The City Secretary Prior To The Start Of The Meeting. Each Speaker Shall Approach The Podium And State His/Her Name And Address Before Speaking. Speakers Shall Address The Governing Body With Civility That Is Conducive To Appropriate Public Discussion. Speakers Can Address Only The Governing Body And Not Individual City Officials Or Employees. The Public Cannot Speak From The Gallery But Only From The Podium. Per The Texas Open Meetings Act, The Governing Body Is Not Permitted To Take Action On Or Discuss Any Item Not Listed On The Agenda. The Council May: (1) Make A Statement Of Fact Regarding The Item; (2) Make A Recitation Of Existing Policy Regarding The Item; Or (3) Propose The Item Be Placed On A Future Agenda.

#### **5. CONSENT AGENDA**

A. Approval Of Resolution No. R-2021-022- Accepting The Resignation Of Mayor Pro Tem David Billings.

[Documents:](#)

[staff summary - resolution accepting resignation- mayor pro tem david billings.pdf](#)

B. Approval Of Financial Report For January 2021.

[Documents:](#)

[financial\\_report\\_month\\_ending\\_013121.pdf](#)

C. Acceptance Of The Fate Department Of Public Safety 2020 Racial Profiling Report.

[Documents:](#)

[staff sum racial profiling report.pdf](#)

**6. EXECUTIVE SESSION: IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, SECTION 551.001, ET SEQ., THE CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION (CLOSED MEETING) TO DISCUSS THE FOLLOWING:**

A. In Accordance With Texas Government Code, Section 551.071, Consultation With Attorney On A Matter In Which The Duty Of The Attorney To The Governmental Body Under The Texas Disciplinary Rules Of Professional Conduct Of The State Bar Of Texas Clearly Conflicts With The Texas Open Meetings Act:

1. To Receive Legal Advice Regarding Montarra Litigation

B. In Accordance With Texas Government Code, Section 551.087, To Discuss Or Deliberate Regarding Commercial Or Financial Information That The City Has Received From A Business Prospect That The City Seeks To Have Locate, Stay, Or Expand In Or Near The Territory Of The City Of Fate And With Which The City Is Conducting Economic Development Negotiations; And To Deliberate The Offer Of A Financial Or Other Incentive To The Business Prospect:

1. Project Ab74

2. Consideration Of An Economic Development/Development Agreement With Woodcreek Concerning City Hall Commercial Use Deed Restriction And A Parcel Of Property East Of Hwy 66 And North Of Fate Main

**7. RECONVENE INTO REGULAR SESSION: IN ACCORDANCE WITH TEXAS GOVERNMENT CODE, CHAPTER 551, THE CITY COUNCIL WILL RECONVENE INTO REGULAR SESSION TO CONSIDER ACTION, IF ANY, ON MATTERS DISCUSSED IN EXECUTIVE SESSION**

**8. ACTION ITEMS**

A. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2021-023- Accepting A Petition For And Calling A Public Hearing On The Advisability Of The Improvements And Creation Of Monterra Public Improvement District Within The City Of Fate Pursuant To Chapter 372, Texas Local Government Code And Authorizing The Mailing And Publication Of Notice Of The Public Hearing.

[Documents:](#)

- B. Discuss, Consider, And Take Any Necessary Action Regarding A Development Agreement With The Monterra Developer For A Residential Subdivision West-Northwest Of Woodcreek, Consistent With The City's Executed Settlement Agreement.
- C. Discuss, Consider, And Take Any Necessary Action Regarding Authorizing A Pre-Development And Professional Services Agreement With The Monterra Developer To Reimburse The City For Expenses Related To The Residential Subdivision's Setup Costs.
- D. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2021-024- Electing A Mayor Pro Tem For The City Of Fate.

[Documents:](#)

[staff summary - resolution electing replacement mayor pro tem for remainder of unexpired term.pdf](#)

- E. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2021-025- Electing A Deputy Mayor Pro Tem For The City Of Fate.

[Documents:](#)

[staff summary - resolution electing replacement deputy mayor pro tem for remainder of unexpired term 2021.pdf](#)

- F. Discuss, Consider, And Take Any Necessary Action Regarding Appointing A Member To The Fate Municipal Development District No. 1 Board Of Directors To Fill An Unexpired Term, Expiring July 2022.

- 1. Accept Nominations
- 2. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2021-026-Appointing A Member To The Fate Municipal Development District No. 1 Board Of Directors To Fill An Unexpired Term, Expiring July 2022.

[Documents:](#)

[staff summary -appointing a replacement to mdd.pdf](#)

- G. Discuss, Consider, And Take Any Necessary Action Regarding Appointing A Member To The Zoning Board Of Adjustment To Fill An Unexpired Term, Expiring July 2021.

- 1. Accept Nominations
- 2. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2021-027-Appointing A Member To The Zoning Board Of Adjustment To Fill An Unexpired Term, Expiring July 2021.

[Documents:](#)

[staff summary -appointing a replacement to zba place 3.pdf](#)

- H. Discuss, Consider, And Take Any Necessary Action Regarding Appointing A Representative To The Rockwall County Consortiums To Include The Emergency Services Corporation, The Road Consortium, And The Open Space Consortium.

[Documents:](#)

[staff summary county consortiums appt.pdf](#)

1. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2021-028- Appointing A Member To The County Of Rockwall Emergency Service Corporation (Esc); And Providing An Effective Date.
  2. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2021-029- Appointing A Member To The Rockwall County Wide Planning Consortium (Road Consortium); And Providing An Effective Date.
  3. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2021-030- Appointing A Representative To The Rockwall County Open Space Consortium; And Providing An Effective Date.
- I. Discuss, Consider, And Take Any Necessary Action Regarding Resolution No. R-2021-031- Nominating A Candidate For Appointment To The Rockwall Central Appraisal District Board Of Directors; And Providing An Effective Date.

[Documents:](#)

[staff summary rcad bd vacant seat nomination.pdf](#)

## **9. MAYOR, COUNCIL, AND CITY MANAGER REPORTS**

Regarding Items Of Community Interest – Pursuant To Texas Government Code Section 551.0415 The Mayor, Council And City Manager May Report On The Following Items: (1) Expression Of Thanks, Congratulations Or Condolences; (2) Information About Holiday Schedules; (3) Recognition Of Individuals; (4) Reminders About Upcoming City Council Events; (5) Information About Community Events; (6) Announcements Involving Imminent Threat To Public Health And Safety.

- A. Mayor's Report
- B. Council Reports
- C. City Manager's Report

## **10. ADJOURNMENT**

In addition to any executive session already listed above, the City Council of the City of Fate reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code for the following purposes:

- §551.071 Consultations with Attorney
- §551.072 Deliberations regarding Real Property
- §551.074 Personnel Matters
- §551.076 Deliberations regarding Security Devices
- §551.087 Deliberations regarding Economic Development Negotiations

Pursuant to Section 551.127, Texas Government Code, one or more Council Members or

employees may attend this meeting remotely using videoconferencing technology. The video and audio feed of the videoconferencing equipment can be viewed and heard by the public at the address posted above as the location of the meeting.

This building is wheelchair accessible. Any request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (972) 771-4601 Ext. 103 for further information.

I certify that the above **NOTICE OF MEETING** was filed and posted on the Bulletin Board at City Hall, 1900 CD Boren Parkway, City of Fate, Texas on the 12th day of February, 2021, at 3:35 P.M. and remained so posted until removed as indicated below, pursuant to the Texas Open Meetings Act. This notice was likewise posted on the city website at [www.cityoffate.com](http://www.cityoffate.com).

Victoria Raduechel, TRMC, City Secretary

Removed from the Bulletin Board at City Hall on the \_\_\_\_ day of \_\_\_\_\_, 2021, by  
\_\_\_\_\_.